



Maricopa County

Division of Chronic Disease & Tobacco Control

Retailer Education



CounterActs

**Arizona Department of Health Services
Tobacco Prevention & Education Program**

Maricopa County Tobacco Use Prevention Program (MACTUPP)



Funded by the Arizona Department of
Health Services' Anti-Tobacco Program

Who is MACTUPP?

We offer:

- Tobacco Use Prevention to Schools, Youth and Community Programs
- Cessation Services or “Quit Classes” with discounts on Nicotine Replacement Therapy
- Worksite Services to *Help Communities Breathe Cleaner Air*

Visit our website at www.mactupp.org or call our
information line at
602-372-7272

The Tobacco Tax Initiative

- In 1994, Arizona voters passed Proposition 200 – the Tobacco Initiative which provided a \$.58 tax increase on tobacco products
- The tobacco tax provides funding for low-income families, tobacco prevention programs and research for the prevention and treatment of tobacco related illness.

Proposition 303

- Passed in 2002, Proposition 303 raised the tax on tobacco products an additional \$.60 to pay for healthcare cost.
- The proposition protects funds from the 1992 initiative for tobacco use prevention programs in Arizona.
- Arizona's tobacco tax on cigarettes is currently \$1.18 per pack.

Arizona State Tobacco Law

A.R.S § 13-3622

Arizona Revised Statute Annotated

Title 13. Criminal Code

Chapter 36. Family Offenses

A person who knowingly sells, gives or furnishes cigars, cigarettes or cigarette papers, smoking or chewing tobacco, to a minor (persons under the age of 18 years), and a minor who buys, or has in his possession or knowingly accepts or receives from any person, cigars, cigarettes, or cigarette papers, smoking or chewing tobacco of any kind, is guilty of a petty offense.

Arizona State Tobacco Laws

- A.R.S § 36-798.04: It is unlawful to sell or distribute cigarettes in containers with fewer than 20 cigarettes
- A.R.S § 36-798.05: It is unlawful to deliver tobacco products that are unsolicited to a residence
- A.R.S § 36-798.02: Cigarette vending machines are only allowed in bars and other public places that are prohibited to those under 21 years of age

Supplying or selling a tobacco product to a minor can result in fines of:

- Up to \$300 for the minor
- Up to \$300 for the store clerk
- Up to \$1,000 for the retail owner

What is a Tobacco Product?



- Cigarettes
- Chewing tobacco
- Snuff
- Cigars
- Pipe tobacco
- Bidis
- Cigarette papers



Youth Nicotine Addiction

- Adolescent users are more likely to become heavy tobacco users and are more likely to develop illnesses that are associated with commercial tobacco use.¹
- More than 90% of youth who use commercial tobacco products daily experience at least one nicotine withdrawal symptom (irritability, difficulty concentrating and/or cigarette cravings) when trying to quit.²

¹CounterActs. Arizona Compliance White Paper on Preventing the Sale of Tobacco Products to Minors. 2002. Page 5.

²The Centers for Disease Control. MMWR. Reasons for Tobacco Use and Symptoms of Nicotine Withdrawal Among Adolescent and Young Adult Tobacco Users.1993. Page 749.

Tobacco and Youth in Arizona

On a Regular basis:

- 9% of Eighth Graders Smoke¹
- 23% of High School Seniors Smoke¹

Compare that to:

- 20% of Adults Smoke²
- 9,000 Arizona kids under the age of 18 become daily smokers each year.³

¹Arizona Criminal Justice Commission. 2002 Arizona Youth Survey. Page 18

²Arizona Department of Health Services. 1999 Arizona Adult Tobacco Survey Report

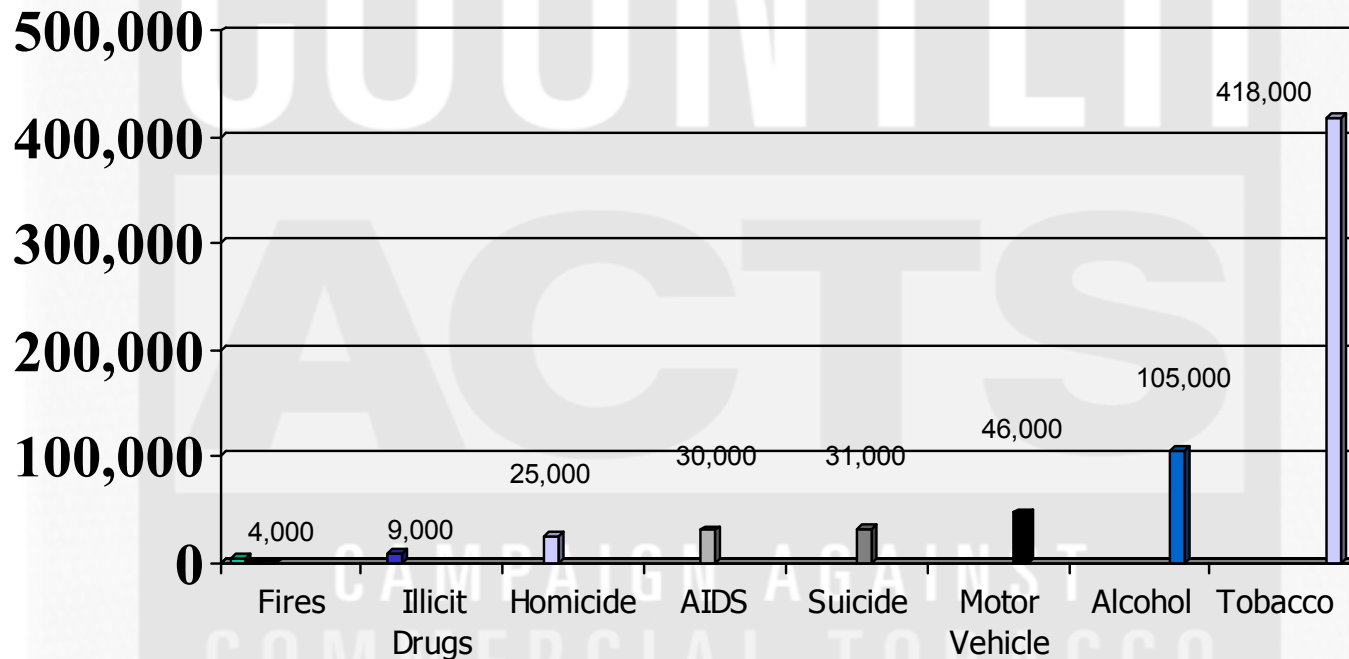
³Tobacco Free Kids. State Settlement Overview for Arizona, 2002

Did You Know?

- In Arizona, annual healthcare cost directly related to commercial tobacco use is \$1 billion.
- Per household, Arizona residents pay approximately \$496 annually for the state and federal healthcare cost burden from commercial tobacco use.
- Lost productivity costs due to tobacco use reach \$1.3 billion annually in Arizona.

National Center for Tobacco Free Kids. The Toll of Tobacco in Arizona. 2002.

Smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders and suicides combined.¹



¹Centers for Disease Control and Prevention. Preventing Tobacco Use Among Young People, A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services, 1994.

¹Centers for Disease Control and Prevention . Cigar Smoking among teenagers-United States, 1996, and two New York counties, 1996. Morbidity and Mortality Weekly Report 1997; 46:433-40.

Where Do Youth Get Their Tobacco?

- 32% of youth under the age of 18 purchased their cigarettes or tobacco from a store.¹
 - 15% Bought at a Gas Station
 - 23% Bought at a Convenience Store
 - 16% Bought at a Grocery Store
 - 15% Tobacco Specialty Store²

¹Centers for Disease Control and Prevention. CDC surveillance Summaries, November 2, 2001. MMWR 2001;50(No. SS-4) page 22.

²Maricopa County Sheriff's Office. Operation Butt-out. 2002.

Where Do Youth Get Their Tobacco?

Maricopa County Sheriff's Office
Operations Butt-Out, 2002

| City | Buy Percentage |
|------------|----------------|
| Buckeye | 28% |
| Chandler | 20% |
| Glendale | 23% |
| Goodyear | 40% |
| Phoenix | 38% |
| Scottsdale | 47% |

Asking for Identification

- 69% of High School students under the age of 18 were not asked to show ID when they bought commercial tobacco products.¹
- 58% of Middle School aged children were able to purchase commercial tobacco products regardless of whether or not they were asked for ID.¹
- 33% of clerks who illegally sold commercial tobacco to minors in Maricopa County did so even after requesting identification.²
- **Ask for ID.** Minors buy less commercial tobacco when asked for ID.

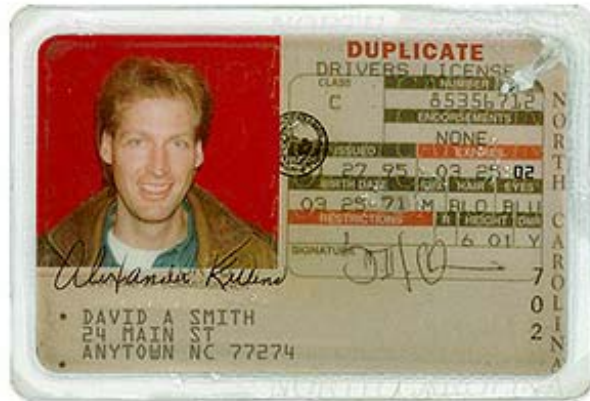
¹Centers for Disease Control and Prevention. CDC surveillance Summaries, November 2, 2001. MMWR 2001;50(No. SS-4) page 22.

²Arizona Attorney General's Office. Youth Tobacco Compliance Inspection Report. 2002. page 3

Things to Look for when asking for Identification

- Ask for ID if they look under the age of **30**.
- Accept only Photo-Government Issued Identification
 - A valid Driver's License
 - Military ID
 - State-issued ID Card
 - U.S. Passport
 - U.S. Immigration Card (refer to your store policy)
- What is the birth date?
 - Born on or before Today's date, 1985
 - Must be 18 years old to buy tobacco products
- School ID cards are NOT an acceptable form of Identification

Look for erasure marks, or altered signatures



Be sure it matches the person buying



Look to see if a picture or state seal has been altered



Check for bumps, or splits in lamination

If questionable, refuse the sale!

The fine to you and your representatives will cost you more than the profit of selling that tobacco product illegally.

Federal Synar Regulation

- Alcohol, Drug Abuse and Mental Health Reorganization Act passed by Congress in 1992 aimed at decreasing tobacco use among adolescents.
- If the rate of tobacco sales to minors is above 20%, Arizona could lose up to \$11 million per year in funding for substance abuse and prevention programs.
- The Arizona Attorney General's Office and Maricopa County Sheriff's Office sting operations combined yielded a 12.8% buy rate for the state of Arizona in 2002.

Facts About Tobacco Addiction

- Tobacco-delivered nicotine is highly addictive
- Nicotine is the most common form of drug addiction and the most difficult to overcome
- 20 million Americans try to quit smoking each year, but only 5% have any long-term success
- The earlier a person becomes addicted to nicotine, the more difficult it is to quit

CounterActs

- CounterActs is a program developed by the Arizona Department of Health Services' Anti-Tobacco Program along with members of the retail community. Together, they have created a program that works to dramatically reduce the illegal sale of commercial tobacco products to minors.
- Recent compliance checks performed by the Maricopa County Sheriff's office concluded that minors were able to purchase commercial tobacco products approximately 30% of the time.



CounterActs

- CounterActs arms retailers with the knowledge and tools to prevent the sale of commercial tobacco to minors within their stores.
- The illegal sale of commercial tobacco to minors puts nicotine, a highly addictive drug, in the hands of minors. The CounterActs program seeks to inform retailers and prevent the health issues associated with commercial tobacco use.

Retailer Kit

- Retailers are provided with a “retailer kit” to aid them in the CounterActs mission. Each kit includes:
 - an introduction letter from the Arizona Department of Health Services’ Anti-Tobacco Program
 - in-store display posters
 - a brochure detailing the program
 - a training video on commercial tobacco sales
 - a counter sticker
 - a window decal informing the public that the establishment does not sell commercial tobacco to minors.

Retailer Rewards

- Through CounterActs, retailers are rewarded for not selling commercial tobacco products to minors. To motivate them to continually check ID's before selling commercial tobacco products, incentives are offered including:
 - Movie tickets
 - Sporting event tickets (including Phoenix Suns, Phoenix Coyotes and other Arizona teams)
 - And many more prizes

Remember, It is Against the Law to:

- Purchase commercial tobacco for a minor
- Have a minor purchase commercial tobacco products for an adult
- Sell to a minor even if they have a written request from a parent or guardian
- Sell commercial tobacco to an adult when it is obvious that the product is for a minor

**It is every adult's
responsibility to prevent the
sale of commercial tobacco
products to minors.**

You can make the difference!

Helpful Web Sites

www.tepp.org

www.mactupp.org

www.tobaccofreekids.org

www.ashline.org

www.wecard.com

www.fda.gov

www.cdc.gov